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June 30, 2014

By ECF

Honorable Judge Richard M. Berman
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Courtroom 12D
New York, NY 10007

Re: Rio Tinto plc v. Vale S.A., et al., Civil Action No. 14-cv-3042 (RMB) (S.D.N.Y.)

Dear Judge Berman:

We write on behalf of defendant Vale, S.A. ("Vale") in response to the briefing schedule set forth in Rio Tinto plc's ("Rio Tinto") letter of June 27, 2014 (the "Letter"), which was proposed without consulting with defendants. Defense counsel who have appeared to date in this case (counsel for several defendants have not yet appeared) have now conferred with plaintiff and agreed to a modified proposed schedule. The only change is that defendants' replies to plaintiff's opposition would be due December 12, 2014, instead of December 4, 2015, to take account of the Thanksgiving holiday.

If the Court desires to enter a scheduling order prior to the appearance of all counsel, we therefore respectfully request, on consent of all counsel who have appeared to date, that the Court order the following briefing schedule for motions to dismiss: defendants' motions to dismiss to be filed on September 30, 2014; plaintiff's opposition to any motions to dismiss to be filed on November 14, 2014; and defendants' reply in further support of their motions to dismiss to be filed on December 12, 2014. We propose that any decision on the question of joint briefing

be postponed until the parties have had an opportunity to meet and confer and to present a proposal to the Court for the most efficient means to raise all relevant issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'LJL', with a long horizontal flourish extending to the right.

Lewis J. Liman